

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**MHA, LLC d/b/a MEADOWLANDS  
HOSPITAL MEDICAL CENTER**

**and**

**HEALTH PROFESSIONALS AND ALLIED  
EMPLOYEES, AFT/AFL-CIO**

**Cases 22-CA-086823  
22-CA-089716  
22-CA-090437  
22-CA-091025  
22-CA-091521  
22-CA-092061  
22-CA-096650  
22-CA-097214  
22-CA-099492  
22-CA-100324  
22-CA-106694**

**ORDER<sup>1</sup>**

The Respondent requests special permission to appeal from the following orders of Administrative Law Judge Steven Davis:

- (1) the March 11, 2016 Order on Respondent's Subpoenas to third parties New Jersey Health Care Quality Institute; New Jersey Citizen Action, and Wardell Sanders;
- (2) the March 28, 2016 Order revising March 11 Order on privilege log;
- (3) the April 22, 2016 Order on Union's motion to reconsider March 11 Order on subpoenas to third parties;
- (4) the May 5, 2016 Order granting Union's petition to revoke subpoena; and
- (5) the May 5, 2016 refusal to issue a subpoena ad testificandum to David Knowlton.

The Respondent's request for permission to appeal is denied as to requests (1), (3), (4), and (5). This denial is without prejudice to the Respondent's right to renew its arguments before the Board on any exceptions that may be filed to the judge's decision, if appropriate.

The Respondent's request for permission to appeal is granted as to request (2), and we remand this matter to the judge to provide in his decision on the merits of the complaint

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

allegations a more detailed rationale, based on record evidence, for finding that certain documents related to the Union's communications with attorney Kenneth Pringle are privileged based on attorney-client privilege.<sup>2</sup>

Dated, Washington, D.C., August 22, 2016.

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
LAUREN McFERRAN,	MEMBER

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<sup>2</sup> The Respondent also requested that the Board stay the proceedings because the judge's rulings prejudice its ability to prove its affirmative defense. We deny this request.